

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VISHAY DALE ELECTRONICS, INC.,
Plaintiff

v.

CYNTEC CO., LTD., SUSUMU CO., LTD.,
and SUSUMU INTERNATIONAL (USA), INC.,
Defendants.

Civil Action No. 8:07-cv-191

ORDER ON

STIPULATED MOTION

ON THIS 22 day of October, 2007, this matter comes on for consideration on the Stipulated Motion of the Parties. The Court being fully advised in the premises finds that the Stipulated Motion should be granted.

NOW, THEREFORE, IT IS ORDERED that:

1. All motions other than Susumu USA's motion to dismiss for lack of jurisdiction will be withdrawn.

2. After the Court rules on Susumu USA's motion to dismiss for lack of jurisdiction, the parties will take the following actions:

A. If the Court retains jurisdiction and does not transfer the Complaint against Susumu USA to the United States District Court for the District of New Jersey, (1) Susumu Japan and Cyntec will not contest service and will voluntarily appear as co-defendants and (2) within 60 days of the Court's Order without further motion practice by Vishay, the three co-defendants will answer Vishay's Amended Complaint.

B. If the Court declines jurisdiction by dismissing the Complaint against Susumu USA, (1) within 10 days of the Court's Order, Vishay will dismiss its Complaint in this Court without prejudice against all three defendants in its entirety, (2) within 60 days of the

Court's Order, Susumu Japan will voluntarily appear as a co-plaintiff in the United States District Court For The District Of New Jersey, Civil Action No. 07-3529, and the three co-plaintiffs will file an Amended Complaint naming all three parties, and (3) Vishay shall then voluntarily appear and answer the Amended Complaint within 30 days.

C. If the Court retains jurisdiction and transfers the Complaint against Susumu USA to the United States District Court for the District of New Jersey, (1) Susumu Japan and Cynotec will not contest service and will voluntarily appear as co-defendants in the transferred case, (2) Vishay shall then voluntarily appear in the transferred case, and (3) within 60 days of the Court's Order without further motion practice by Vishay, the three co-defendants will answer Vishay's Amended Complaint in the transferred case.

3. All parties agree that in light of this stipulation, no jurisdictional discovery is necessary.

Dated this 22 day of October, 2007.

IT IS SO ORDERED.

BY THE COURT:

s/ Joseph F. Bataillon

United States District Court Judge